

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of PacifiCorp (U-901-E) for an Order Authorizing an Immediate Interim Rate Increase, Subject to Refund and for Consideration of a Rate Stabilization Plan.

Application 01-03-026
(Filed March 16, 2001)

**ADMINISTRATIVE LAW JUDGE'S RULING SETTING ASIDE SUBMISSION,
REOPENING THE PROCEEDING, AND ORDERING BRIEFS**

On September 25, 2001, this phase of this proceeding was submitted upon receipt of briefs. On November 1, 2001, PacifiCorp and Nor-Cal Electric Authority announced an agreement in principle for the sale of PacifiCorp's California operations. Given this development, submission of the first phase of this proceeding should be set aside, and the proceeding reopened. The parties should brief the effect of the sale on the requested interim increase. Prior to the briefs, it will be necessary for PacifiCorp to provide the parties with an explanation of the sale, and its effect on the general rate increase that is to be addressed in the second phase of this proceeding.

Therefore, **IT IS RULED** that:

1. The submission of the first phase of this proceeding is set aside, and the proceeding is reopened.
2. No later than December 14, 2001, PacifiCorp shall file and serve the following:
 - An explanation of the proposed sale.

- Whether it will pursue the general rate case to be addressed in the second phase of this proceeding.
- The effect of the proposed sale on the refund plan for the requested interim increase.

3. The parties shall file and serve briefs and reply briefs on the effect of the sale on the requested interim increase, on January 11, 2002 and February 1, 2002, respectively.

Dated November 27, 2001, at San Francisco, California.

/s/ JEFFREY P. O'DONNELL
Jeffrey P. O'Donnell
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Setting Aside Submission, Reopening the Proceeding, and Ordering Briefs on all parties of record in this proceeding or their attorneys of record.

Dated November 27, 2001, at San Francisco, California.

/s/JACQUELINE GORZUCH
Jacqueline Gorzoch

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.